

# **Conservation Strategy**



## Memorandum

Date: July 7, 1998  
To: BDAC Members  
From: Lester A. Snow, Executive Director  
CALFED Bay-Delta Program  
Subject: CALFED's Conservation Strategy Update

The CALFED Bay-Delta Program's Conservation Strategy Team, consisting of staff from CALFED, National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (USFWS), Department of Fish and Game (DFG), and the State Attorney General's Office, is in the process of preparing the CALFED Conservation Strategy. The Conservation Strategy Team is assisted by a group of stakeholders (see attached). Technical documents are then provided for review and comment to the Ecosystem Restoration Work Group and other interested parties.

The Conservation Strategy will address all federally and state listed, proposed, and candidate species that may be affected by the CALFED Program; other species identified by CALFED that may be affected by the Program and for which adequate information is available also will be addressed in the Strategy. The term "covered species" is used to refer to all of the species that will be addressed by the Strategy.

The Conservation Strategy, when completed, will provide the framework for compliance with the Federal Endangered Species Act, the California Endangered Species Act, and the Natural Community Conservation Planning Act, and ensure that the overall CALFED Program conserves, recovers, or assists in recovery of species and habitats covered under the Conservation Strategy. The Strategy is intended to integrate CALFED enhancement programs (ERP and Ecosystem Restoration Coordination) and mitigation actions to provide for improved species and habitat protection, increase assurances of overall Program implementation and streamline California and Federal ESA authorization of incidental take of covered species. Incidental take is take that results from, but is not the purpose of, an otherwise lawful activity.

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### CALFED Agencies

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**California**  
The Resources Agency  
Department of Fish and Game  
Department of Water Resources  
California Environmental Protection Agency  
State Water Resources Control Board

**Federal**  
Environmental Protection Agency  
Department of the Interior  
Fish and Wildlife Service  
Bureau of Reclamation  
U.S. Army Corps of Engineers

Department of Agriculture  
Natural Resources Conservation Service  
Department of Commerce  
National Marine Fisheries Service

The Conservation Strategy will not in and of itself provide take authorization. It will, however, provide the necessary biological information, impact analysis and programmatic conservation measures, that in combination with project specific details will lead to take authorization through one or more of the regulatory mechanisms provided by the Federal ESA, the California ESA, and/or the Natural Community Conservation Planning Act. In essence, the Conservation Strategy will serve as both an HCP/NCCP and as the biological assessment required for a Section 7 consultation under the Federal ESA.

The complexity of the CALFED Program contributes to the need for staged implementation. The staging plan, with the linkages that we are now developing, should reinforce Program ecosystem restoration goals. Since failure to meet objectives in one Program element may preclude implementation of linked elements, all participants share an interest in successfully meeting the objectives of each element. The staging plan allows the Conservation Strategy to focus initially on providing the necessary take authorization for Stage 1 actions, while further refining the Strategy for actions that will take place in later stages.

The Conservation Strategy Team, working with Jones and Stokes Associates (JSA), has completed draft covered species lists. The team is also developing a data base which will be used to store and track information on species and habitat, CALFED Program actions, the beneficial and detrimental effects of those actions on the species, and mitigation and monitoring needs.

#### **1. Database Contents**

- A list of species that will either be covered in the Conservation Strategy or will be considered for coverage.
- CALFED regions and ecological zones, with a list of the species that occur in each region and zone.
- Species information, such as legal status, historical and current distribution, population status, habitat requirements, designated critical habitat, life history, reasons for decline, current conservation efforts (planned or completed) that are not part of the CALFED Program, recovery goals or requirements (to the extent known), and research or monitoring data gaps.
- CALFED's goal for the species. The CALFED Program objectives include supporting sustainable populations of plant and animal species in the Bay-Delta. Thus, for some listed species, the goal is to *achieve recovery*. For others, particularly those species

which are not wholly dependent on the Delta, the goal will be to *contribute to their recovery*. For other special status species, CALFED's goal will be to *ensure their conservation*.

- Habitat types used by the species.
- Program actions, as identified in the Common Programs and the preferred alternative (once selected).
- The effects of each of the actions (beneficial, neutral, and adverse) on each of the species and/or habitats.
- A list of potential conservation measures which would: (1) minimize adverse effects to species from the system as it is currently operating and will operate in the future; (2) maximize beneficial effects; and (3) mitigate (compensate), when necessary, for unavoidable adverse effects. Information developed in this category may be used to refine the ERPP, as well as to identify strategies to be used with other Program components.

## **2. Covered Species List**

The Conservation Strategy Team, in conjunction with JSA, is in the process of distributing the covered species list for public review and comment through the Ecosystem Restoration Work Group, with comments expected back to the Team by July 21, 1998. The Team will then review the responses, and complete a master list of covered species for the Strategy. The Team will also recommend that CALFED meet one of three goals for each species addressed in the Conservation Strategy: recover the species, contribute to the recovery of the species, or conserve the species.

## **3. Habitat Classification Matrix**

Simultaneously, JSA is developing a habitat classification matrix which will allow the Team to analyze Program impacts to habitats and ecological processes and the suite of species associated with them.

## **4. Conservation Measures**

The Conservation Strategy Team is also beginning the process of contacting species and habitat experts within the CALFED agencies and academia, in order to determine the conservation measures necessary to offset any potentially detrimental impacts of the

Program on the covered species. The Conservation Strategy Team will work in close association with ERP staff, and the core team from the Strategic Plan to refine the ERPP as necessary to ensure that the goals of the Strategy are met.

## **5. Revised Technical Appendix**

At the revised draft stage of the Programmatic EIS/EIR, the Conservation Strategy Team expects to have completed the covered species list with the recommended species goals, the habitat classification matrix and its correlation with suites of species, the preliminary analysis of potential Program impacts, both beneficial and adverse, on the covered species, as well as preliminary work on the conservation measures.

### **Key Issues**

- Ensuring that the Conservation Strategy content supports ESA/CESA required findings and determinations.
- Ensuring that the Conservation Strategy will provide an adequate framework for take authorization needed for Stage 1 actions.
- Coordinating with CMARP to ensure that the monitoring and research needs of the Conservation Strategy are included in the rest of the Program.
- Coordinating with the Strategic Plan team to ensure that the needs of the Conservation Strategy, in particular adaptive management needs, are included in the rest of the Program.
- Coordinating with the Assurances Work Group to ensure that adequate and feasible (biologically and legally) assurances are reached.

### **Time Line**

Covered Species List  
July 31, 1998

Data Base Completion  
Final EIS/EIR

CALFED's Conservation Strategy  
July 7, 1998  
Page Five

Habitat Classification Matrix  
July 31, 1998

Conservation Measures  
August 28, 1998

Revised Technical Appendix  
September 30, 1998

July 7, 1998

### **CALFED Program's Conservation Strategy Advisors**

The following people are advisors to the Interagency Conservation Strategy Team and refer to themselves as "Acquaintances" of the Conservation Strategy:

Michael Mantell - Consultant to CALFED  
Paul Seltzer - Ag Urban Coalition  
Wiley Horne - Metropolitan Water District of Southern California  
Cliff Schulz - Kern Water Authority  
Bill Boyd - Environmental Defense Fund  
Rob Meade - R.J. Meade Consulting (Strategic Plan Core Team)  
Gary Bobker - The Bay Institute  
Cynthia Koehler - Save San Francisco Bay Association  
David Fullerton - Natural Heritage Institute  
Steve Johnson - The Nature Conservancy